



## Arizona Medical Board

9545 East Doubletree Ranch Road • Scottsdale, Arizona 85258

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Telephone (480) 551-2700 • Fax (480) 551-2705 • In-State Toll Free (877) 255-2212

### **DRAFT MINUTES FOR MALPRACTICE REPORTING SUBCOMMITTEE Held on Wednesday, December 3, 2008 9535 E. Doubletree Ranch Road • Scottsdale, Arizona**

#### ***Subcommittee Members***

Amy J. Schneider, M.D., F.A.C.O.G., Chair

Todd A. Lefkowitz, M.D.

Lorraine L. Mackstaller, M.D.

Paul M. Petelin Sr., M.D.

Germaine Proulx

#### **CALL TO ORDER**

The meeting was called to order at 1:05 p.m.

#### **ROLL CALL**

The following Subcommittee members were present: Amy J. Schneider, M.D., F.A.C.O.G., Lorraine L. Mackstaller, M.D., Paul M. Petelin Sr., M.D., and Germaine Proulx. The following Subcommittee member was absent: Todd A. Lefkowitz, M.D.

#### **CALL TO PUBLIC**

No one was present for call to public.

Chic Older, Executive Director, Arizona Medical Association (ArMA), observed the meeting.

#### **NON-TIME SPECIFIC ITEMS**

##### Discussion Re: Malpractice Actions Settled on Behalf of Physicians

Dr. Schneider expressed concern regarding the vulnerability of physicians in private practice compared to physicians employed by large clinics. Dr. Schneider was also concerned with situations where settlements not naming a physician occur due to patients going to clinics directly with complaints. Dr. Petelin stated that when money is exchanged due to a settlement the Mutual Insurance Company of Arizona (MICA) has an obligation to report to the National Practitioner's Data Bank (NPDB). Dr. Petelin commented on Minnesota Medical Board's policy regarding reporting of settlements from hospitals. Lisa McGrane, Investigational Review Manager, informed the Subcommittee that Minnesota's statutes state specifically that the hospitals have to report to the Medical Board even though the medical board has no jurisdiction over the hospitals. However, in speaking with Minnesota medical board staff, Ms. McGrane informed the Committee, that hospitals that self insure their physicians and who do not name the physicians in medical malpractice settlements are generally very cooperative with board staff.

Dr. Schneider suggested Board staff obtain malpractice information from other facilities regarding physicians in the last five years. Lisa Wynn, Executive Director, suggested staff share the Substantive Policy Statement (SPS) draft with other organizations such as MICA, ArMA, and with hospital administrators for the purpose of receiving feedback before presenting to the full Board. Jennifer Boucek, Assistant Attorney General, offered to look at MICA's policies to see what language is being used.

The meeting adjourned at 1:22 p.m.



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Lisa S. Wynn, Executive Director